

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45855 of 2019

Arising Out of PS. Case No.-718 Year-2018 Thana- AURANGABAD COMPLAINT CASE
District- Aurangabad

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Md. Taufique Alam Son of Riyazuddin Ansari Resident of Village - and P.O.-
Yogia, P.S.- Obra , Dist.- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mahmuda Khatoon W/o Taufique Alam, D/o Murtuza Ali, Resident of
Village - Kara, P.S.- Obra , Dist.- Aurangabad.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Shailesh Kumar Singh, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 20-02-2020 Learned counsel for the petitioner is permitted to

make necessary correction in the present application, during

course of the day.

Heard learned counsel for the parties.

Petitioner apprehends his arrest in a case registered

for the offence punishable under sections 323/498(A) of the

Indian Penal Code and section 4 of D.P. Act.

Earlier, vide order dated 16.10.2019, the matter was

sent to Mediation Centre for settlement of dispute between the

parties, but from perusal of Mediator's report dated 13.12.2019

(Flag 'M'), it appears that mediation has failed.

Learned counsel for the petitioner submits that at this



juncture, the petitioner is ready to give maintenance amount of Rs. 3,000/- per month, starting from this month, to the Opposite Party No.2.

In view of the undertaking of learned counsel for the petitioner that petitioner is ready to give maintenance amount of Rs. 3,000/- per month, in the event of his arrest/surrender within a period of six weeks from today, let the above named petitioner be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Aurangabad in connection with Aurangabad Complaint Case No. 718 of 2018 on the following conditions:-

1. Opposite party no.2 would file an affidavit before the court below and bring on record her saving bank account number for its communication to the petitioner.
2. Petitioner would deposit the aforesaid maintenance amount per month in the saving bank account of opposite party no.2.
3. In case, the petitioner fails to deposit the maintenance amount for two consecutive months, the court below would be at liberty to cancel the bail-bond.
4. Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present, as



directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail-bond shall be cancelled by the Court below.

5. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

6. The aforementioned payment will be subject to any order passed in matrimonial, maintenance or connected proceedings. The present order, in no way, will preclude the parties to resolve the issue otherwise.

(Prabhat Kumar Singh, J)

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